

CHAPTER NINE

ACCESSIBILITY

Today's Increased Reliance on Accessibility

Accessibility is the term describing the degree to which Reservists are available to deploy when called up -- voluntarily or involuntarily -- to fill the manpower needs of the Military Services. Until recent years, access to the Reserve components was governed strictly by laws and policies set in place during the Cold War. Accessibility has taken on increased importance in recent years because the Services have placed increased reliance on their Reserve components for both wartime and **peacetime** requirements. Cold War-era laws and policies related to accessibility are under review to ensure that they are sufficiently flexible to meet the national security needs of the post-Cold War world.

Before describing what's needed for that post-Cold War world, it is helpful to review the policies in place in terms of accessibility until the early 1990s. Reserve component forces were mainly designed to expand U.S. active duty forces to help defeat a global threat from the Soviet Union and its allies. The primary scenario included defending NATO against a Warsaw Pact attack. Against an attack, NATO intended to defend with conventional weapons as far forward as possible, but if necessary, to resort to the use of nuclear weapons to prevent possible conventional defeat. Under these difficult circumstances U.S. Reserve component combat and support forces were to mobilize and deploy as quickly as possible.

Mobilization Authorities

Three provisions of U.S. Federal law would have provided access to large numbers of Reservists:

- “Full Mobilization” provided access to all Reserve units, individual reservists and retired military personnel, but required a declaration of war or national emergency by the Congress and action by the President.
- “Partial Mobilization” provided not more than one million members of the Ready Reserve, but required a declaration of war or national emergency by the Congress or the President.
- “Presidential Selected Reserve Call-Up (PSRC)” provided up to 200,000 members of the Selected Reserve upon Presidential notification of the Congress.

After the Korean War (1950-53) ended, the U.S. maintained large numbers of active duty forces deployed worldwide to deter the Soviet Union and other potential aggressors. These forces were considered adequate to handle regional conflicts such as the Vietnam War (1963-1975). U.S. Reserve forces had been mobilized for Korea but were not mobilized for Vietnam.

Because of concerns about accessibility to Reserve forces, Congress in 1976 provided the President authority to order Reservists to active duty without their consent for other than a national emergency. This authority, already noted above as the

Presidential Selected Reserve Call-Up (PSRC), is now codified as Section 12304 of Title 10, U.S. Code. President Bush used PSRC authority in August 1990 in response to the Iraqi invasion of Kuwait. President Clinton used PSRC in September 1994 for Operation Uphold Democracy in Haiti and again in December 1995 for Operation Joint Endeavor in Bosnia.

Impact of the Total Force Policy and All-Volunteer Force

In 1973 the Department of Defense adopted the Total Force Policy which recognized that all of America's military -- Active and Reserve -- should be readily available to provide for the common defense. Greater reliance on Reserve forces, with their lower peacetime sustaining costs compared to similar Active forces, could help provide a more capable force structure for a smaller Defense budget.

Also in the early 1970s, the U.S. ceased to rely on military conscription for meeting the manpower needs of some of the Active components. Henceforth, all members of all components -- both Active and Reserve -- would be volunteers.

The Total Force Policy and All-Volunteer Force produced major changes in the structure and capabilities of the Reserve components. In general they received a significant upgrade in the quality of their personnel, training, equipment and facilities. These changes allowed the nation to place much greater reliance upon Reserve component units and individuals, as trained, ready and accessible partners in the total force structure.

New Challenges for a New World

The end of the Cold War-era led to new dangers: regional instability; proliferation of nuclear and other weapons of mass destruction; threats to democratization and reform in the Soviet Union, Eastern Europe and elsewhere; and the danger to national security which could result if the U.S. failed to ensure a strong, competitive and growing economy.

To respond to these dangers, while meeting the continuing challenge of domestic emergencies, the Reserve components were given broad responsibilities in a full range of situations.

Gaining access to Reserve component personnel for any mission is a sensitive matter. It has the potential to disrupt the lives of reservists, their families, their employers and customers. Reservists have been called up only eight times for non-domestic emergencies since World War II. These occasions included the Korean War and Gulf War -- situations where vital U.S. national interests were perceived to be at stake.

In July 1995 the Department of Defense issued policy intended to streamline the Reserve accession process.

- . For major regional conflicts and national emergencies, access to Reserve component units and individuals through an order to active duty without their consent will be assumed.
- For lesser regional conflicts, domestic emergencies, and other missions, where Reserve component capabilities could be required, maximum consideration will be given to accessing volunteer Reserve

component units and individuals before seeking authority to order members of the Reserve components to active duty without their consent. (A *volunteer unit* consists of one or more individual volunteers, organized to perform a function, whether or not such a unit is part of a larger group.)

War and Contingency Operations

The Reserve component role, as stated in the Department's Bottom-up Review is quite broad

“During regional contingencies, Guard and Reserve Forces will continue to provide -- as they have in the past -- significant support forces, many of which would deploy in the early days of a conflict. Reserve component combat forces will both augment and reinforce deployed Active forces and backfill for Active forces deployed to a contingency from other critical regions.”

In case of a major unambiguous threat to vital U.S. interests, there is little question that Reserve component units and individuals would be ordered to active duty using an involuntary activation authority.

Guard and Reserve forces will be indispensable to a U.S. response to any major regional conflict (MRC). Not only will some Guard and Reserve forces be needed to support even one MRC, but they will also be particularly critical in deterring or responding to an additional threat to U.S. interests in another area.

A problem in providing involuntary access authority for Reserve component forces might occur early in the first such a

crisis, if the full nature of the threat is uncertain, yet mobilization of some Reserve component forces might still be prudent. The President may need time to decide whether or not to exercise one of the statutory mobilization authorities (a situation faced by President Bush in the first weeks of August 1990 after Iraq invaded Kuwait). As in August 1990, in a future crisis small but significant numbers of Reservists maybe quickly needed on active duty to help Active forces prepare the mobilization base and for deployment of forces. These tasks could include establishing mobilization stations, opening seaports of embarkation, supporting aerial ports of embarkation, flying airlift missions and operating Crisis Action Teams.

Domestic Emergencies

A state governor is empowered by the U.S. Constitution to execute the laws of the state and to command the state's Army and Air National Guard when it is serving in state status. The Governor can order his/her National Guard to state active duty during times of domestic emergencies and/or disasters. Subsequently, units and members of the National Guard have in the past, and will in the future, provide the Governor the first line of military response during domestic emergencies.

Access to Guard Forces Across State Lines

The National Guard Bureau has long emphasized the need for a single national compact that would allow states to provide mutual support during natural or man-made disasters. The purpose of a national compact for mutual assistance is to resolve legal and fiscal issues that would facilitate response between states in times of disasters or emergencies.

The Southern Regional Emergency Management Assistance Compact (SREMAC) adopted by the Southern Governors' Association (SGA) in August 1993 is an instrument the Guard Bureau believes has the potential to make this happen. On January 1, 1995, during its winter meeting in Washington, the SGA unanimously approved a resolution adopting a series of amendments to the SREMAC. Foremost among the changes are amendments that restrict National Guard interstate law enforcement and expand membership availability to all U.S. states and territories which were previously restricted to the 19 SGA member states. Other significant resolutions are requirements for state ratification or enabling legislation and federal ratification.

The National Guard Bureau, the Federal Emergency Management Agency (FEMA) and the Southern Governor's Association view this compact as potentially becoming the first fully functioning national interstate emergency response compact in the history of the United States. In addition, the Southwestern Caucus states of Arizona, California, Colorado, Nevada, New Mexico and Utah have completed a draft National Guard amendment to their existing regional interstate compact. This amendment prescribes operating limitations and legal consideration much the same as the Southern Governor's Compact.

Peace Operations

Peace operations comprise a wide variety of missions. The status in which

Reservists are accessed for these missions may depend upon the nature of the operation, Reserve component capabilities needed, other military operations underway, and additional factors. The challenge for accessibility is to create a policy that will enable the tailoring of the right force to accomplish the mission. An issue for the Department is deciding which operations are suitable for calling Reservists ordered to active duty without their consent.

Reservists have unique skills which are relevant for conduct of peace operations. Humanitarian assistance, peacekeeping, nation building, or other peaceful operations involve a broad and substantial interaction between U.S. military forces and the people or government of another country. A successful peace operation often is measured by the ability to create a stable environment, to achieve support for that process by the local population or government, and to assist that population or government to assume control of its own future. Needed are Reservists who serve in civilian life as city managers, public works professionals, banking, commerce and agriculture experts, health systems and disease prevention specialists, and in other specialties not normally found in the Active forces. Reservists can fill the gap between initial stability/security operations by conventional military forces and the assumption of longer term civil government and other operations by public and private organizations, including local, regional and international groups.

Reservists have traditionally supported Active forces in executing a broad range of peace operations. While on active duty for training, Guard and Reserve units have supplemented Active forces assigned to the Unified Combatant Commands,

provided medical and engineering assistance in U.S. Southern Command, and supported humanitarian operations in Sub-Saharan Africa. Reservists made (and are making) critical contributions in post-hostility operations (Panama, Kuwait, Bosnia), disaster relief (Bangladesh), and humanitarian assistance (displaced Haitians, Cameroon epidemic and Kurdish relief).

Other Guard and Reserve forces have performed contributory support operations. This support may be provided as a by-product of Reserve component training (weekend or annual) or as additional voluntary support by Reservists while on Active Duty for Special Work. Current examples include supplementing U.S. Army Europe's maintenance force, augmenting Air Mobility Command flight and maintenance crews, and providing airlift support for the Navy.

In the future, peace enforcement, peacekeeping and humanitarian operations will stress the capabilities of U.S. forces. Current defense planning anticipates a large Reserve component role in support of these operations.

Historically, peace operations have been prolonged engagements that often required personnel (and unit) rotations and a significant amount of logistical and lift support. These operations frequently include handling large numbers of refugees, coordinating and distributing humanitarian aid, serving as liaison with local officials, and assisting non-governmental and private volunteer organizations. Where insufficient infrastructure exists for public needs, Reservists have disseminated public information to local populations to counter psychological activities impeding friendly operations, and to restore internal stability.

Access to Needed Capability in Peace Operations Takes Innovation

As the roles and missions of the Reserve components expand, the Reserves become a greater asset than just a force held in readiness for wartime. Consequently, accessing Reserve component forces for active duty support using various access authorities, other than during war and contingencies, is a recurring theme in the Department's planning because of the need to rely on Reserve capabilities for certain peace operations.

The Department's concept for implementing the new strategy includes:

- Looking to Active forces to service lesser regional conflicts with few exceptions (such as some specialized assets, especially combat service support, Psychological Operations and Civil Affairs units).
- Looking to Active forces as the primary initial responder for peace enforcement, peacekeeping, humanitarian and disaster relief operations overseas, with civil affairs, civil engineers, medical, and logistics support units.
- Looking to Reserve forces to provide expanded support to non-traditional missions (e.g. individual volunteer specialists and units to provide a rotational base for Active forces deployed abroad). Many of the specialties for peace operations require training and experience found predominately within the Reserve components.

Air Operations Rely on Extensive use of Reserve Components

Several key Air Force and Navy capabilities are heavily dependent on Reserve component forces.

- Weather, Aerial Spray and Tactical Reconnaissance Squadrons -- *One hundred percent of these capabilities are in the Air Reserve components.*
- Aerial Refueling provides enroute and theater capabilities. *Fifty-four per cent of the KC-135 tankers and 43 percent of the KC-10s are in the Reserve components.*
- Theater Airlift ‘ provides intertheater airlift support. *Sixty-five percent of the theater airlift capabilities are in the Reserve components.*
- Strategic Airlift. *Fifty-eight percent of the strategic airlift crews are in the Reserve components .*
- Naval Airlift. *Nearly 100 percent of the U.S.-based intra-theater airlift is in the Reserve.*

Special Operations Forces (SOF) are an Additional Area of Concern

- . Special Forces (SF) activities include direct action, security missions, tactical civil affairs and psychological operations conducting special reconnaissance and assessments, and rudimentary stability or Foreign Internal Defense measures. *Forty percent of SF assets are in the Reserve components.*
- . Civil Affairs (CA) activities include civil-military operations, host nation coordination activities, refugee operations, humanitarian aid coordination and distribution, liaison with local and United Nations officials, restoration activities, post-hostility

operations, and support of civil-military matters (i.e. coordination with private volunteer organizations, non-governmental organizations and officials, etc.). *Ninety-eight percent of the CA force is in the Reserve components.*

- Psychological Operations (PSYOP) includes the means for dissemination of public information to the populace, public diplomacy efforts, and influencing the behavior of foreign target audiences up to and including Psychological Warfare. In war and in operations other than war, countering hostile propaganda and disseminating friendly force campaign objectives are viable missions. *Seventy-five percent of the PSYOP force is in the Reserve components.*
- Special Boat Units (SBU) conduct riverine and patrolling activities. *Fifty percent of SBU personnel are in the Reserve.*

Mobilization

Public law permits access to Reserve component forces in a number of ways. Most of the laws dealing with access to Reserve forces are found in Title 10, U.S. Code:

Volunteers. Activation of Reserve forces to meet war fighting requirements and domestic emergencies is generally well understood. The Reserve components also have significant, non-crisis, peacetime missions primarily met through volunteerism. Sections of Title 10 dealing with volunteers now have added significance as the U.S. moves further away from the Cold War era. On any given day, world-wide, as many as 7,500 volunteers from the Reserve components are on active duty. The

missions of these volunteers often take them in harm's way and, because of that, the role of volunteers has received new focus both within the Department and within Congress. Volunteerism comprised of individual volunteers and volunteers organized into provisional units is authorized by section 12301(d) of Title 10.

Selective Mobilization. Under section 12301 (b) of Title 10, members of the Reserve components may be ordered to active duty without their consent by the Secretaries of the Military Departments for not more than fifteen days a year. With respect to the National Guard, the Governor must also grant consent. Further, section 10147 establishes annual training requirements for the Ready Reserve. Most members of the Selected Reserve within the Ready Reserve **are** required to participate in forty-eight scheduled drills or training periods per year and to serve on active duty for not less than fourteen days but not more than thirty days per year. **In the case of the** National Guard, a minimum of forty-eight drills and fifteen days of annual training are required. Although of limited utility, the aforementioned authorities are, nonetheless, available to access Reserve forces without their consent and might be used to call up needed Reserve forces for short predictable missions.

Presidential Selected Reserve Call-Up (PSRC). The President may order up to 200,000 members of the Selected Reserve to active duty without their consent for not more than 270 days for operations other than domestic disasters, accidents or catastrophes. This authority is commonly referred to by the acronym PSRC, for Presidential Selected Reserve Call-Up. The Selected Reserve is comprised of units and individual members designated as essential

to operational, war fighting missions which have priority for training, equipment, and personnel over other Reserve elements. Reserve component members may not be ordered to active duty under this authority to perform any of the functions authorized by sections 331-333 (Insurrection), or section 12406 (“**to** repel the invasion, suppress the rebellion or execute those laws”). Further, the Reserve components, other than the National Guard, may not provide assistance to either the Federal government or a state in time of serious natural or man-made disaster, accident or catastrophe under section 12304. There is no access to the Individual Ready Reserve (IRR) under 12304.

In event PSRC is used, *Stop-Loss* (*the* suspension of certain laws relating to promotion, retirement and separation) may be invoked. Stop-Loss is authorized under section 12305 of Title 10.

Similarly, under section 688 of Title 10, selected retired members of the **armed** forces may be ordered to active duty.

Partial Mobilization. After a Presidential or Congressional Declaration of National Emergency or a Congressional Declaration of War, the President may order up to one million members of the Ready Reserve to active duty for up to twenty-four months. Commonly known as Partial Mobilization, this provision is authorized under 10 U.S.C. 12302. This activation of one million Reservists may be in addition to the 200,000 ordered to active duty under PSRC for a total of 1.2 million mobilized Reservists. This authority grants access to the IRR.

During Operations Desert Shield and Desert Storm in 1990-91, both PSRC and

Partial Mobilization were authorized, resulting in the order to active duty of nearly 250,000 Reservists who served with distinction for many months.

Full Mobilization. Should circumstances warrant a Congressional Declaration of National Emergency or War, the Secretary of Defense (the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service of the Navy) or his designee may order to active duty all members of the Reserve components for the duration of the crisis plus six months. Members in inactive status or retired status may also be so activated if there are not enough qualified Reservists in active status or in the inactive National Guard. Such an order is Full Mobilization and is authorized under Title 10, Section 12301. Similarly, under sections 12307 and 688, both members of the Retired Reserve and retired members of the armed forces, respectively, may be ordered to active duty.

Total Mobilization. Total Mobilization refers to expansion beyond the total authorized end strength of the Total Force and would require Presidential and Congressional action in the form of conscription and the resources needed for its support. There is no significant difference between the level of Reserve component mobilization authorized by Full Mobilization and any additional national mobilization actions authorized under Total Mobilization.

Special Note About Mobilization

The statutes above are listed in order of magnitude and increasing complexity from volunteerism through Total Mobilization. This listing does not imply that one is a prerequisite to the other. In

fact, each can be used separately without invoking any of the others.

Demobilization

Upon demobilization, DoD policy requires that the Reserve components (both units and individual members) which are ordered to active duty without their consent in support of an operational mission, contingency operation, or during a national emergency or time of war will be retained on active duty no longer than absolutely necessary and will be released from active duty as expeditiously as possible, consistent with operational requirements. Upon conclusion of the operational mission, contingency operation, national emergency, or war for which they were ordered to active duty, and when consistent with operational requirements, Reserve members will receive priority for redeployment from the area of operations.